

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: DIISOCYANATES ANTITRUST
LITIGATION

This Document Relates to: All Actions

Master Docket Misc. No. 18-1001

MDL No. 2862

**STIPULATION AND ORDER REGARDING PROPOSED BRIEFING SCHEDULE FOR
PLAINTIFF'S MOTION FOR SPOILIATION**

Whereas, Plaintiffs intend to file a motion alleging a failure to preserve certain text messages, which Plaintiffs argue constituted spoliation of evidence and warrants sanctions pursuant to Fed. R. Civ. P. 37(e);

Whereas, Defendant WCA denies Plaintiffs' allegations and intends to oppose the motion;

Whereas, Counsel for Plaintiffs and WCA have met and conferred regarding the dispute, and have now reached an impasse; and

Whereas, in light of the upcoming Fourth of July holiday, and travel plans of counsel involved in this dispute, Plaintiffs and WCA have met and conferred regarding a briefing schedule and have agreed among themselves to propose to the Court a briefing schedule along the lines below.

**NOW, THEREFORE IT IS STIPULATED BY AND AMONG THE PLAINTIFFS
AND WCA, BY AND THROUGH THEIR UNDERSIGNED COUNSEL, AS FOLLOWS:**

1. No later than June 24, 2024, Plaintiffs shall file their motion with respect to the alleged spoliation;
2. No later than July 19, 2024, WCA shall file its opposition to Plaintiffs' motion;

3. No later than July 26, 2024, Plaintiffs shall file any reply; and
4. Plaintiffs' opening brief and WCA's opposition brief shall not exceed 10 pages, exclusive of exhibits. Plaintiffs' reply brief shall not exceed 5 pages, exclusive of exhibits.

The Parties agree that this schedule will not prejudice any party. Plaintiffs and Defendant WCA therefore respectfully request that the Court will allow the foregoing schedule.

SO ORDERED.

/s/ W. Scott Hardy
W. Scott Hardy
United States District Judge

Dated: June 21, 2024

/s/ Craig P. Seebald

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